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## BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

2003 DEC 10 P 1:52

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
ARIZONA WATER COMPANY FOR AN  
EXTENSION OF THE SERVICE AREA UNDER  
ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
WATER UTILITY SERVICES.

DOCKET NO. W-01445A-03-0559

Arizona Corporation Commission

DOCKETED

DEC 10 2003

PROCEDURAL ORDER

DOCKETED BY

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## BY THE COMMISSION:

On August 12, 2003, Arizona Water company ("AWC" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service in Casa Grande, Pinal County, Arizona.

On November 26, 2003, the staff of the Commission's Utilities Division ("Staff") filed a letter indicating that AWC's application has met the sufficiency requirements as outlined in the Arizona Administrative Code.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **February 17, 2004 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **February 2, 2004**.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or before **February 6, 2004**.

IT IS FURTHER ORDERED that the Applicant shall provide public notice of the hearing in this matter, in the following form and style, with the heading in no less than 10 point bold type and

the body in no less than 10 point regular type:

**PUBLIC NOTICE OF HEARING ON THE**  
**APPLICATION OF ARIZONA WATER COMPANY**  
**FOR AN EXTENSION OF ITS CERTIFICATE OF**  
**CONVENIENCE AND NECESSITY**  
**(W-01445A-03-0559)**

On August 12, 2003, Arizona Water Company ("AWC") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("CC&N") to provide water service to an area in which records indicate you are a property owner. If the application is granted, the Applicant would be the exclusive provider of water to the proposed area, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Company, [insert address].

The Commission will hold a hearing on this matter beginning **February 17, 2004 at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 2, 2004. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number 602-542-3931, E-mail [ymcfarlin@cc.state.az.us](mailto:ymcfarlin@cc.state.az.us). Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that the Applicant shall mail to each property owner in the

1 requested extension area a copy of the above notice and shall cause the above notice to the published  
2 at least one in a newspaper of general circulation in its proposed service territory, with publication  
3 and mailing to be completed no later than **January 12, 2004**.

4 IT IS FURTHER ORDERED that the Applicant shall file certification of mailing/publication  
5 as soon as practicable after the mailing/publication has been completed but not later than **January**  
6 **26, 2004**.

7 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing/publication  
8 of same, notwithstanding the failure of an individual to read or receive the notice.

9 IT IS FURTHER ORDERED that Staff shall file a Staff Report by **January 26, 2004**.

10 IT IS FURTHER ORDERED that the Applicant shall file any objections to the Staff Report  
11 by **February 9, 2004**.

12 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
13 Communications) applies to this proceeding as the matter is now set for public hearing.

14 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
15 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

16 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
17 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

18 DATED this 10<sup>th</sup> day of December, 2003.

19  
20   
21 AMANDA POPE  
ADMINISTRATIVE LAW JUDGE

22  
23 Copies of the foregoing mailed/delivered  
this 10 day of December, 2003 to:

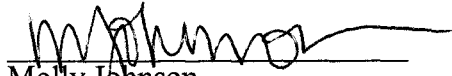
24 Robert W. Geake  
25 Arizona Water Company  
26 Post Office Box 29006  
Phoenix, Arizona 85038

27 Christopher Kempsey, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
28 1200 West Washington Street  
Phoenix, Arizona 85007

1 Ernest G. Johnson, Director  
Utilities Division  
2 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
3 Phoenix, Arizona 85007  
4 ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
5 Phoenix, Arizona 85004-1104

6

7 By:

  
Molly Johnson  
Secretary to Amanda Pope

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**SENDER:**  
 • Complete items 1, 2 and 3.  
 • Indicate if restricted delivery is desired.  
 • Print your name and address on the reverse.  
 • Attach this form to the front of the mailpiece.  
 • The Return Receipt Requested on the m  
 delivery.

1. Article Addressed to:  
**AZ Reporting Service**  
**2627 N. Third Street**  
**Phoenix, AZ 85004-**

Received By: (Print Name)

Signature - (Addressee or Agent)

PS Form 3811 **W-01445A-0**

1266 0000 0010 2444 0812

<b>RETURN RECEIPT SERVICE</b>	POSTAGE	\$ 0.37	<b>POSTMARK OR DATE</b>
	RESTRICTED DELIVERY FEE	\$ 0.00	
	CERTIFIED FEE	\$ 2.30	
	RETURN RECEIPT FEE	\$ 1.75	
	TOTAL POSTAGE AND FEE	\$ 4.42	
<b>SENT TO:</b>		<b>AZ Reporting Service, Inc.</b> <b>2627 N. Third Street, Suite Three</b> <b>Phoenix, AZ 85004-1104</b>	

PS FORM 3800 **W-01445A-03-0559**



**RECEIPT FOR CERTIFIED MAIL**  
 NO INSURANCE COVERAGE PROVIDED  
 NOT FOR INTERNATIONAL MAIL  
 (SEE OTHER SIDE)

8864 0000 0010 2444 0812

<b>RETURN RECEIPT SERVICE</b>	POSTAGE	\$ 0.37	<b>POSTMARK OR DATE</b>
	RESTRICTED DELIVERY FEE	\$ 0.00	
	CERTIFIED FEE	\$ 2.30	
	RETURN RECEIPT FEE	\$ 1.75	
	TOTAL POSTAGE AND FEE	\$ 4.42	
<b>SENT TO:</b>		<b>Robert W. Geake</b> <b>Arizona Water Company</b> <b>Post Office Box 29006</b> <b>Phoenix, AZ 85038</b>	

PS FORM 3800 **W-01445A-03-0559**



**RECEIPT FOR CERTIFIED MAIL**  
 NO INSURANCE COVERAGE PROVIDED  
 NOT FOR INTERNATIONAL MAIL  
 (SEE OTHER SIDE)

**RECEIPT**

**CERTIFIED**

0000 4968



Receive the  
 or an extra fee):  
**ed Delivery**  
 ster for fee.

8864 0000 0010 2444 0812

REORDER FROM LASER SUBSTRATES INC 800-538-4900

Fold at line over top of envelope to the